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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION**

USF INSURANCE COMPANY,

Plaintiff,

v.

ILLINOIS UNION INSURANCE
COMPANY and DOES 1 through 50,
inclusive,

Defendants.

CASE NO. 5:09-CV-02190 R (CTx)

**ORDER GRANTING PLAINTIFF'S
MOTION TO REMAND CASE BACK
TO STATE COURT**

Assigned Judge: Manuel L. Real
Courtroom: 8 (Spring Street)
Date: January 19, 2010
Time: 10:00 a.m.
State Case No. RIC532465

TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

On January 19, 2010, at 10:00 a.m., in Courtroom 8, of United States District Court, Central District of California, Eastern Division, located at 312 N. Spring Street, Los Angeles, California 92501, the motion of Plaintiff USF Insurance Company ("USFIC") to remand this case back to the State Superior Court, County of Riverside from whence it came pursuant to 28 USC 1332; 1441(b), and 1447(c), and for an award of costs and attorneys fees, came on regularly for hearing. Susan J. Gill Esq. with Blick, Gill & Rhoades appeared on behalf of USFIC and Marilyn A. Rodgers Esq. with Morales, Fierro & Reeves appeared on behalf of Defendant Illinois Union Insurance Company ("IUIC"). The Court having reviewed all documents submitted rules as follows:

FOR GOOD CAUSE APPEARING IT IS ORDERED THAT:

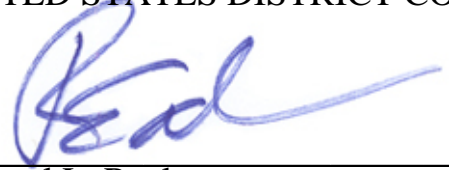
Pursuant to 28 U.S.C. §1332(c)1 a corporation is deemed a citizen of any state by which it has been incorporated and its principal place of business. Defendant IUIC, as the moving party, bears the burden of proving diversity between the parties exists. Defendant has failed to meet its burden of proof and has failed to show that complete diversity exists. This Court therefore finds it does not have subject matter jurisdiction and this matter is remanded back to State Court from whence it came. Each party to bear their own costs and attorney fees.

IT BEING SO ORDERED.

Date: Jan. 25, 2010

UNITED STATES DISTRICT COURT

By:



Manuel L. Real
United States District Court Judge